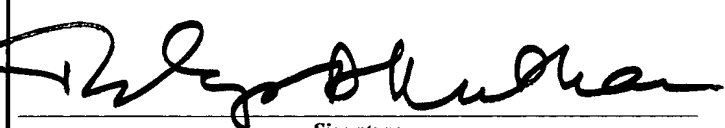





3764

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. 7175-74147									
Applicant(s): Nicholas P. Van Brunt et al.													
Application No. 10/083,966	Filing Date 2/25/02	Examiner DeMille, Danton D.	Customer No. 23643	Group Art Unit 3764	Confirmation No. 2081								
Invention: METHOD AND APPARATUS FOR INDUCING SPUTUM SAMPLES FOR DIAGNOSTIC EVALUATION													
COMMISSIONER FOR PATENTS:													
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.													
CLAIMS AS AMENDED													
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE								
TOTAL CLAIMS	46 -	46 =	0	x \$50.00	\$0.00								
INDEP. CLAIMS	5 -	4 =	1	x \$200.00	\$200.00								
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00								
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$200.00								
<input type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input checked="" type="checkbox"/> A check in the amount of \$200.00 to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 10-0435 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.													
 _____ <i>Signature</i>			Dated: 5-7-05										
Dilip A. Kulkarni BARNES & THORNBURG LLP 11 S. Meridian Street Indianapolis, IN 46204 (317) 231-7419 Attorney Reg. No. 27,510			<table border="1" style="width:100%"><tr><td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 5/3/05 (Date)</td></tr><tr><td colspan="2"> _____ <i>Signature of Person Mailing Correspondence</i></td></tr><tr><td colspan="2" style="text-align:center">Karla I. Mays</td></tr><tr><td colspan="2" style="text-align:center"><i>Typed or Printed Name of Person Mailing Correspondence</i></td></tr></table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 5/3/05 (Date)		 _____ <i>Signature of Person Mailing Correspondence</i>		Karla I. Mays		<i>Typed or Printed Name of Person Mailing Correspondence</i>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 5/3/05 (Date)													
 _____ <i>Signature of Person Mailing Correspondence</i>													
Karla I. Mays													
<i>Typed or Printed Name of Person Mailing Correspondence</i>													
CC:													

BARNES & THORNBURG

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No. 23643

Group: 3764

Confirmation No.: 2081

Application No.: 10/083,966

Invention: METHOD AND APPARATUS FOR
INDUCING SPUTUM SAMPLES
FOR DIAGNOSTIC EVALUATION

Inventor: Nicholas P. Van Brunt et al.

Filed: February 25, 2002

Attorney

Docket: 7175-74147

Examiner: DeMille, Danton D.

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 5/3/05

Karla I. Mays
(Signature)

Karla I. Mays
(Printed Name)

RESPONSE AND AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 2, 2005, please amend the subject application as provided below, and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.